

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

GEORGE ROBERT STRAHAN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 1:21-CV-28-SNLJ
	)	
GREGORY PHIBBS.,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

On January 26, 2023, this Court ordered plaintiff to move for entry of default and default judgment against non-appearing defendant Phibbs. [Doc. 43.] Plaintiff did so, [Doc. 44 and 45], and he asked for subpoenas to obtain his prison medical records to help him prove damages. [Doc. 46.] Plaintiff then filed a duplicative motion for default judgment. [Doc. 49.] The Court then appointed pro bono counsel to help plaintiff prove damages. [Doc. 51, 52.] In response to this Court's request for a status update on this case, [Doc. 55], plaintiff's counsel informed the Court that she is expecting to soon file an appropriate motion for default judgment. [Doc. 56.] The Court will allow plaintiff to file a new motion for default judgment to be supported by all necessary affidavits and documentation, as well as proposed orders for the Court's consideration. Now that plaintiff has the assistance of counsel, plaintiff's previous pro se motions will be denied without prejudice as moot.

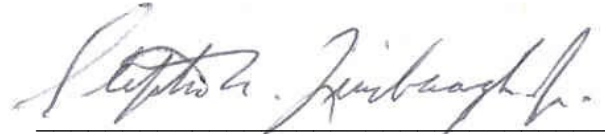
To be abundantly clear, plaintiff still has the opportunity to move for default judgment through counsel. Once all documentation is available, plaintiff's counsel will file a new motion for default judgment, to be supported by all necessary affidavits and documentation.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's pending pro se motions [Doc. 45, 46, and 49] are **DENIED** as moot.

**IT IS FURTHER ORDERED** that plaintiff's counsel, when ready, shall file appropriate motions for default judgment, supported by all necessary affidavits and documentation, as well as proposed orders for the Court's consideration.

Dated this 26th day of July, 2023.

A handwritten signature in dark ink, appearing to read "Stephen N. Limbaugh, Jr.", is written over a horizontal line.

STEPHEN N. LIMBAUGH, JR.  
UNITED STATES DISTRICT JUDGE